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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/600,605

Group Art Unit: 1745

Inventors: Christie et al.

Filed: 6/23/2003

Title: STORAGE SYSTEM AND
METHOD FOR SUPPLYING
HYDROGEN TO A POLYMER
MEMBRANE FUEL CELL

Examiner: R. Alejandro

RESPONSEVia Fax - (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia, 22313-1450

Sir:

This is responsive to the Official Action mailed October 17, 2006.

Claims 1-10 are presently pending.

The Examiner rejected claims 1-10 under 35 U.S.C. §112, first paragraph as failing to comply with an enablement requirement. In summary, it appears to Applicants that the Examiner's position with respect to such rejection is that a fuel cell cannot operate as called for in claim 1, namely, an operation that involves the supply of hydrogen to operate the fuel cell on a scheduled basis when not powering the load to maintain the polymer membrane used in the fuel cell in a hydrated condition. The Examiner goes on to state that such operation will result in potentially catastrophic or deleterious damages not to say explosion.

Applicants traverse this ground of rejection as follows. Applicants disagree with the Examiner's comments regarding the operation of fuel cells. Polymer electrolyte membranes employed in fuel cells must be in a hydrated condition in order to properly function. One method of maintaining hydration is to operate the fuel cell, when not powering the load that it is designed to power, in a maintenance operation in which the fuel cell is powering a dummy load at partial power. One would not want